

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BUDNICK CONVERTING, INC.,

Plaintiff/Counter-defendant,

v.

**NEBULA GLASS INTERNATIONAL, INC.
d/b/a GLASSLAM,**

Defendant/Counter-plaintiff

BUDNICK CONVERTING, INC.,

Third Party Plaintiff

v.

TESA TAPE, INC.,

Third Party Defendant.

No. 09-646-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is a Stipulation for Voluntary Dismissal (Doc. 63) filed by both Third Party Plaintiff Budnick Converting, Inc. and Third Party Defendant Tesa Tape, Inc. Specifically, the parties stipulate that the Third Party Complaint filed by Third Party Plaintiff Budnick Converting, Inc. against Third Party Defendant Tesa Tape, Inc. should be dismissed without prejudice with each party to bear its own costs. Therefore, based on the reasons in the motion, the Court **ACKNOWLEDGES** the stipulation of dismissal and **DISMISSES without prejudice** with each party to bear its own costs Third Party Plaintiff Budnick Converting, Inc.'s

claims against Third Party Defendant Tesa Tape, Inc. Further, the Court **FINDS as moot** the motion to dismiss Budnick Converting, Inc's Third-party Complaint (Doc. 54) filed by Tesa Tape, Inc.

IT IS SO ORDERED.

Signed this 28th day of May, 2010.

/s/ *David R. Herndon*

Chief Judge
United States District Court